

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 16-20732

Dean Reynolds,

Defendant.

**ORDER DENYING MOTION TO STRIKE AND GRANTING MOTION FOR
EXTENSION OF TIME TO FILE RESPONSE**

On November 16, 2021, Defendant Dean Reynolds filed a motion to vacate his sentence pursuant to 28 U.S.C. § 2255. (ECF No. 315.) The court directed that the government provide a response by December 23, 2021. (See ECF No. 317.) However, the government filed a “Motion to Strike” Defendant’s filing because Defendant did not comply with the twenty-five-page limit contained in Local Rule 7.1(d)(3)(a). (ECF No. 318.) Additionally, the government has now filed a subsequent motion requesting that it be granted an extension of time to respond to Defendant’s initial “Motion to Vacate” in the event it is not stricken by the court. (ECF No. 320.)

After reviewing this flurry of holiday season motion practice, the court has reached a determination. Petitioner’s presentation is lengthy indeed, but at least not devoid of internal organization. The length of such petitions is usually tied to the number of issues raised, and it would be inappropriate to bind this petition to the same page limitations that would be applied to a petition raising a single issue. Petitioner here

raises—with facial credibility—several issues to be considered. As the petition is capable of being understood even though at times wandering and prolix, it shall be allowed to stand. Its unusual length, in turn, is a reason to extend the ordinary response time.¹ Accordingly,

IT IS ORDERED that the government’s “Motion to Strike” (ECF No. 318) is DENIED.

IT IS ORDERED that the government’s “MOTION for Extension of Time to File Response/Reply” (ECF No. 320) is GRANTED. The government’s response brief is now due by **February 28th, 2022**. Defendant’s reply brief shall be due **March 14th, 2022**.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, December 29, 2021, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522

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¹ If page extensions are thought necessary, they can be sought.